

1 EDMUND G. BROWN JR.
Attorney General of the State of California
2 DAVID S. CHANEY
Chief Assistant Attorney General
3 FRANCES T. GRUNDER
Senior Assistant Attorney General
4 MICHAEL W. JORGENSON
Supervising Deputy Attorney General
5 LISA SCIANDRA, State Bar No. 246532
Deputy Attorney General
6 455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
7 Telephone: (415) 703-5846
Fax: (415) 703-5480
8 Email: Lisa.Sciandra@doj.ca.gov

9 Attorneys for Defendants Hickman and Horel

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11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
13 SAN JOSE DIVISION

14 **MANUEL HILL,**

15 Plaintiff,

16 v.

17 **RODERICK HICKMAN, et al.,**

18 Defendants.
19

Case No. C 07-5125 JF

**DECLARATION OF C.
WILBER IN SUPPORT OF
DEFENDANTS' MOTION TO
DISMISS**

20 I, C. WILBER, declare as follows:

21 1. I am employed by the California Department of Corrections and Rehabilitation
22 (CDCR) as an Inmate Appeals Coordinator at Pelican Bay State Prison. My job duties include
23 processing inmate appeals (Form CDC 602), assigning appeals to the appropriate staff, and
24 monitoring and maintaining the computer database in the Inmate Appeals Office. I am
25 competent to testify to the matters set forth in this declaration, and if called up to do so, I would
26 and could so testify. I submit this declaration in support of Defendants' Motion to Dismiss.

27 2. Form CDC 602 appeals that meet the criteria for review under the California Code of
28 Regulations, and have been submitted for first level review, are recorded in the Inmate Appeals

Decl. C. Wilber in Support of Mot. to Dismiss

M. Hill v. R. Hickman, et al.
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1 Office computer database. The recording is made at or near the time the inmate appeal is
2 received by me or another employee with personal knowledge of the appeal process. The
3 database is kept in the course of regularly conducted business activity and every effort is made to
4 maintain the accuracy and integrity of each record maintained.

5 3. I have searched the Inmate Appeals Office computer database for all records of appeals
6 filed by inmate Manuel Hill, CDCR number E-45048.

7 4. Attached as Exhibit A is a true and correct copy of the computer printout from the
8 Inmate Appeals Office showing Inmate Hill's appeals history since September 2003. An appeal
9 is only assigned an Institutional Log Number by the Inmate Appeals Office when the appeal
10 meets the criteria for review under the California Code of Regulations. Inmate appeals are
11 tracked by the status reports in Exhibit A.

12 a. Exhibit A shows that appeal log number PBSP 05-02880 was denied at the
13 second level of review on January 24, 2006.


14 b. Exhibit A also shows that appeal log number PBSP 05-02833 was granted at the
15 second level of review on January 20, 2006.

16 5. Attached as Exhibit B is a true and correct copy of appeal log number PBSP 05-02880.

17 6. Attached as Exhibit C is a true and correct copy of appeal log number PBSP 05-02833.

18 I declare under penalty of perjury that the foregoing is true and correct. Executed at
19 Crescent City, California, on MAY 7, 2008.

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C. WILBER

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